United Nations S/2010/543

Security Council

Distr.: General
18 October 2010

Original: English

Report of the Secretary-General on the African Union-United Nations Hybrid Operation in Darfur (UNAMID)

I. Introduction

1. The present report is submitted pursuant to paragraph 8 of Security Council resolution 1935 (2010), by which the Security Council requested me to report every 90 days on progress made towards implementing the mandate of the African Union-United Nations Hybrid Operation in Darfur (UNAMID) across Darfur. The report also includes an assessment of progress made against benchmarks set out in annex II of my report to the Council of 16 November 2009 (S/2009/592), as well as the state of the political process; the security and humanitarian situation, including in camps for internally displaced persons (IDPs) and refugees, and progress towards early recovery. Further to the Council's request contained in paragraph 3 of the same resolution, UNAMID continues to support the Doha peace process, in addition to its primary mandate of protection of civilians. A separate and focused strategy of protection of civilians requested in paragraph 4 of the same resolution is currently being developed. A report on the strategy will be included in the next report.

II. Political process

Doha peace process

2. During the reporting period, the African Union-United Nations Joint Chief Mediator for Darfur continued to pursue a multi-strand strategy designed to ensure that civil society is adequately involved in the peace process; to facilitate the negotiation of a peace agreement between the belligerent parties; and to encourage the improvement of regional relations between the Sudan, Chad and the Libyan Arab Jamahiriya.

3. In the first half of July, the Government of the Sudan and the Liberation and Justice Movement (LJM) continued negotiations held under the auspices of the Joint Chief Mediator. On 17 July, the African Union-United Nations Joint Mediation convened a meeting to assess the work of six negotiating committees, which were formed to undertake more detailed work on power-sharing and the administrative status of Darfur; wealth-sharing, including land rights; compensation and the return of IDPs and refugees; security arrangements; justice and reconciliation; and agreement and the resolution of disputes.

Please recycle

4. At the end of July, the parties took a pause in the negotiations during the month of Ramadan. The Joint Mediation then proceeded to consolidate the work of the joint negotiating committees and incorporate their work in a draft text that includes points of agreement between the Government and LJM. Once an initial draft is completed, the Joint Mediation will consult the parties, as well as regional and international partners, with a view to developing a plan for peace that is acceptable to the parties and to the people of Darfur.

5. In an effort to make the peace process more inclusive, the Joint Mediation has continued its efforts to persuade the leaders of the Sudan Liberation Army (SLA)-Abdul Wahid and Justice and Equality Movement (JEM), led by Abdel Wahid al-Nur and Khalil Ibrahim respectively, to rejoin the talks.

Doha civil society talks

6. With a view to enhancing the participation of civil society in the peace process, UNAMID and the Government of Qatar jointly organized a second conference of Darfur civil society representatives in Doha from 12 to 15 July 2010. The conference was a follow-up to the first civil society conference held in Doha from 18 to 20 November 2009. In preparation for the conference, UNAMID organized and held a series of preparatory workshops and forums across Darfur, in order to sensitize and mobilize civil society representatives. A total of 315 participants, selected by the communities themselves and representing various constituencies across Darfur, participated in the conference. The participants discussed issues pertinent to a comprehensive peace accord and their potential role in the peace process. While there was widespread agreement among the participants on the root causes of the conflict and key issues affecting the peace process, no consensus was reached regarding the administrative status of Darfur, the issue of land occupation, positions in the executive and judiciary, or compensation for victims of the conflict. The conference concluded with a declaration and communiqué endorsing the conclusions of the first Doha civil society forum in November 2009. The conference also called for urgent measures to be taken to improve the security and well-being of IDPs and other communities in advance of a peace agreement, and made recommendations for security arrangements, land issues, power-sharing, justice, reconciliation and development issues to be included as part of any final agreement. The conference was also attended by IDPs and Darfurian refugees from camps in Chad.

7. As part of efforts to enhance popular understanding of and support for the peace process, the Joint Mediation, in partnership with UNAMID, has undertaken activities designed to increase the general population's awareness of civil society's proposals and their potential role in the peace process. In this regard, follow-up meetings were organized with conference delegates in Nyala, El Fasher, Zalingei and El Geneina, and a strategy adopted to disseminate the conference declaration and communiqué to the general public. Using sensitization teams and radio programmes, dissemination of the conference outcomes commenced in all three states of Darfur in the last week of July. In order to mobilize public support for the peace process, especially among groups who have so far opted not to participate, a Darfur-wide radio and sensitization programme is also being developed. UNAMID continues to engage with IDPs who opted not to participate in the conference in an attempt to educate them about the process and encourage them to join discussions.

Events in Kalma and Hamadiya camps

8. While the second Doha conference represented a positive step in the peace process, it was unfortunately followed by violence and unrest between IDPs in favour of attending the conference and those who were opposed to it. The clashes occurred in Kalma camp in late July, resulting in the death of four persons and the injury of seven others. Similar clashes occurred in Hamadiya camp near Zalingei, resulting in three fatalities.

9. The security situation in Kalma camp further deteriorated during the last week of July, with incidents of shooting, access restrictions and conflict between "pro-Doha" IDPs suspected of being loyal to LJM and "anti-Doha" IDPs suspected of being loyal to SLA-Abdul Wahid. More clashes resulted in at least 35 fatalities and the displacement of some 25,000 IDPs from the camp to Nyala and surrounding villages. Several thousand of these IDPs sought refuge at the UNAMID community policing centre located next to Kalma camp. While the humanitarian community and UNAMID faced initial difficulties in accessing the camp, from mid-August they were allowed into the camp, enabling humanitarian agencies to assess the humanitarian situation and deliver life-saving assistance.

10. On 24 July, after the clashes, five camp leaders sought protection at the nearby UNAMID community policing centre for fear of possible reprisals from opposing factions and mistreatment by the Government. They were joined by a woman on 27 July. The Government indicated to UNAMID that five of the six individuals were criminally responsible for the violence and the resulting fatalities that occurred in Kalma camp, and sought their arrest. UNAMID is discussing with the Government the various dimensions of this issue, with a view to finding a peaceful means of addressing all concerns.

11. The violence in Kalma camp also highlighted the growing problem of the presence of weapons and armed elements inside IDP camps, which is a security risk and a violation of both humanitarian space and principles. UNAMID has initiated discussions with IDP leaders with a view to addressing this issue. At the same time, in the wake of the July-August events, the authorities in Southern Darfur have also indicated their intention to relocate Kalma camp from its present location to nearby Beleil. In this regard, the Government has agreed that any relocation from Kalma would have to be voluntary and any disarmament efforts non-coercive.

12. During the crisis, UNAMID reinforced its presence on the ground and conducted 24/7 patrols in the camp. These activities, which were part of the action taken to de-escalate tension, were accompanied by daily engagements by UNAMID integrated civilian teams with camp leaders and other residents to monitor and assess the security and humanitarian situation.

13. An ad hoc committee comprised of UNAMID and Government officials has since been established to resolve the situation regarding the five IDP leaders wanted by the authorities, as well as other issues, including the proliferation of weapons and the presence of armed elements within Kalma and other camps. While the situation in Kalma has since improved and there have been no reports of fatalities since 29 July, there have, however, been clashes and incidents of shooting.

14. Similar events occurred in Hamadiya camp near Zalengei after a group of IDPs travelled to El Geneina to congratulate the newly appointed Wali of Western Darfur on 25 July 2010. The group was labelled traitors by elements within the camp loyal

to SLA-Abdul Wahid, sparking clashes on 27 July 2010. Three persons were killed and the clashes affected humanitarian operations in the camp. Regrettably, in Hamadiya, another attack on 3 September 2010 by unknown elements in the camp resulted in the deaths of nine people. Tensions between the "pro- and anti-Doha" IDPs reflect the ongoing power struggle within the camps.

UNAMID political engagement

15. In addition to support for civil society, IDPs and refugees in the Doha process, a number of events were held during the reporting period. On 5 July, the Joint Special Representative held a follow-up retreat, in El Fasher, to the retreat for special envoys for Darfur and the Sudan held in Kigali in February 2010. The follow-up retreat was attended by, among others, special envoys from Austria, Canada, China, Finland, the Netherlands, the Russian Federation, Sweden, the European Union and the League of Arab States; the Joint Chief Mediator; the Special Representative of the Secretary - General for the Sudan; and high-level representatives from France, Japan, the United Kingdom of Great Britain and Northern Ireland, the United States of America, the African Union Commission, the United Nations Secretariat, the United Nations Children's Fund (UNICEF) and the Office of the United Nations High Commissioner for Refugees (UNHCR). The discussions focused on the peace process, the security situation in Darfur, voluntary returns and early recovery. The participants expressed concern over increased inter-tribal violence and the high rates of criminality, including the kidnapping of international workers and attacks against UNAMID personnel. Participants called on the Government of the Sudan to take appropriate measures to bring the perpetrators of such attacks and abductions to justice and end impunity. The participants also emphasized the need for full humanitarian access for the humanitarian community and freedom of movement for UNAMID.

16. The El Fasher retreat was followed by the first meeting of the Sudan Consultative Forum held on 17 July 2010 in Khartoum. The meeting was co - chaired by the African Union Commissioner for Peace and Security, Ramtane Lamamra, and the Under - Secretary-General for Peacekeeping Operations, Alain Le Roy. The purpose of the Consultative Forum was to facilitate coordinated international support for the political processes in Darfur and the Sudan. On Darfur, participants stressed the need for an inclusive political process that addressed security, justice and reconciliation, social and economic matters, and humanitarian issues.

17. In accordance with the outcome of the Consultative Forum and its mandate to support the achievement of a comprehensive political solution to the Darfur conflict, UNAMID has commenced planning, in coordination with the African Union High-Level Implementation Panel and the Joint Mediation Support Team, for an internal political process in Darfur to support and complement the Doha peace negotiations. In this connection, in August, UNAMID met with leading representatives of eight of the nine major political parties in Darfur for an exchange of views on several issues, including the perspective of political parties on how such a political process should be conducted and their potential role in the process. The parties welcomed the initiative and underlined the importance of such an endeavour for enhancing the involvement of Darfurians in discussions about their future, asserting that the attainment of sustainable peace in Darfur is contingent on the inclusion and support of the people of Darfur.

18. On 17 September, the Government of the Sudan endorsed a new political and security strategy for Darfur. The new strategy reflects a change in focus for the Government in five key areas: security, development, resettlement, reconciliation and negotiations. The strategy envisages a reorientation and domestication of the peace process, with the creation of a mechanism through which to consult with Darfurian society and then feed the results into the ongoing African Union-United Nations mediation process, with the ultimate objective of negotiating a comprehensive and inclusive peace agreement to resolve the Darfur crisis. On the issue of security, the Government recognized its primary responsibility to maintain stability and called for greater involvement by and coordination with UNAMID, especially on the protection of civilians and the facilitation of returns. The Government also indicated its intention to shift emphasis from continuing humanitarian assistance to development and supporting the return of IDPs. In this connection, it stated its desire to work in coordination with the humanitarian community and UNAMID to ensure that security and basic social services are available to returnees, as a means of promoting the safe, voluntary and orderly return of displaced persons. The United Nations country team and UNAMID are consulting the Government on how they could best work in partnership towards the implementation of the strategy, in accordance with humanitarian principles and their mandates. In this connection, UNAMID recognizes the need to maintain and build relations with IDPs and civil society.

19. Relations between Chad and the Sudan have continued to improve. In advance of the Community of Sahel-Saharan States (CEN-SAD) summit held in N'Djamena from 18 to 23 July 2010, which President Bashir attended, the Sudan expelled leaders of Chadian armed opposition groups. The Government of the Sudan has urged the Libyan Arab Jamahiriya to expel Khalil Ibrahim and has closed its borders with its CEN-SAD neighbour. During the summit, CEN-SAD expressed its support for the Doha process and the work of the Joint Mediation and promised to increase its involvement in efforts to resolve the Darfur conflict.

III. Security situation

20. The security situation in Darfur remains fragile and unpredictable, with intermittent fighting between the Sudanese Armed Forces (SAF) and the armed opposition movement forces; inter-tribal clashes; tension in some IDP camps; armed attacks on and abduction of humanitarian and UNAMID personnel; and criminality. Nevertheless, there have been some improvements during the reporting period, particularly in regard to the safety and security of United Nations personnel. The incidents of carjacking and abductions, in particular, have decreased over the reporting period, due to tighter mitigation measures put in place by UNAMID.

21. During the reporting period Government of the Sudan forces pushed JEM elements from areas in Southern Darfur, which had witnessed relatively intense fighting in April and May. JEM elements are now mostly located in the far north of Northern Darfur around the Libyan Arab Jamahiriya-Chad border in the areas of Sahay and Wadi Afro.

22. Compared to the last reporting period, there has been a reduction in the instances of armed confrontations between parties to the conflict. In July, JEM forces clashed with SAF in Um Kadada, Al Dirra and Lwabit in Northern Darfur and

in Adola Mountain in Southern Darfur, as SAF attempted to prevent JEM from taking up positions in Southern Darfur. Some clashes were also recorded between SLA-Abdul Wahid forces and SAF in Jebel Marra.

23. On 2 September 2010, an unidentified group of armed men reportedly dressed in military-style uniforms attacked the market in the village of Tabarat, approximately 32 kilometres south-west of Tawilla in Northern Darfur. Eyewitnesses reported that the attackers were Arab tribesmen. They targeted males in the market killing 37 and injuring 35. According to reports, around 3,000 persons were displaced to Tawilla as a result of the attack. Information received so far points towards a tribal dispute over the abduction of two Arab tribesmen. The Government of the Sudan reacted by restoring order and establishing a commission to investigate and prosecute the perpetrators.

24. Tribal clashes were the most important cause of fatalities in August, claiming the lives of 157 people. Of these, the resumption of clashes between the Misseriya and Rezeigat over land and access to migration routes in the Kass area were most significant. While locally initiated agreements appear to be holding in some areas, inter-tribal clashes continue to flare up in other areas due to disagreement over resources such as water and cattle thefts.

25. In the period under review, there were 26 incidents of restrictions of UNAMID or United Nations agency movements, 19 of which were imposed by the Government of the Sudan, 2 by SLA-Abdul Wahid, 1 by SLA-Minni Minawi, 3 by locals and 1 by IDPs. Access by humanitarian agencies to three villages in eastern Jebel Marra was made possible on 15 and 16 September 2010 in order to deliver medical and nutritional supplies. However, full and unimpeded access throughout eastern Jebel Marra has yet to be granted. Occasional instances of denial of access for security reasons were resolved following persistent démarches by the UNAMID leadership.

26. UNAMID forces came under attack several times in the period under review, resulting in the injury of seven peacekeepers. On 15 July 2010, SAF troops fired a rocket-propelled grenade at a UNAMID convoy about 17 km south of Seleah village (Western Darfur). UNAMID forces returned fire, but stopped firing after the SAF troops raised a white flag. The SAF troops later explained that they were on an unexploded ordnance disposal exercise and had not targeted the peacekeepers deliberately. On 29 July 2010, a UNAMID patrol was ambushed by unknown armed men about 15 km north-west of Foro Buranga (Western Darfur). The patrol returned fire and repelled the attack. Six UNAMID military personnel sustained gunshot wounds during the incident. On 14 August 2010, a UNAMID patrol was attacked by about seven unknown armed men in civilian attire between Kutum and Fata Borno, approximately 8 km south-west of Kutum (Northern Darfur). The assailants fled the scene after a 15-minute exchange of gunfire.

27. Criminals targeting UNAMID and humanitarian personnel continued to be a concern during the reporting period with three abductions, carjackings and house break-ins. The first of the three abductions involved three aircrew members working for an aviation company contracted by UNAMID, in Nyala on 10 August. During the second abduction, two UNAMID police advisers were kidnapped in Nyala township on 14 August. The third incident involved the abduction of one UNAMID international staff member in El Fasher on 7 October when armed men broke into his residence, assaulted other UNAMID staff members living with him, looted their

belongings and managed to escape in a United Nations vehicle with the abducted staff member. While all five hostages involved in the first two incidents were released unharmed after two and three days of captivity respectively, the staff member involved in the latest incident has yet to be released. Three international non-governmental organization (NGO) staff members, who had been previously kidnapped, were released during this reporting period after a period of captivity ranging from 35 to 105 days. Despite several démarches by the UNAMID leadership with the highest level of Government, the issue of impunity remains unaddressed. Except in the case of the killing of three Rwandan peacekeepers in Nertiti, Western Darfur, which has gone to trial, no one has yet been held accountable or brought to justice for these incidents.

28. Seven incidents of banditry that involved house break-ins and robbery of international personnel occurred during the period under review. On 25 July, UNAMID international staff members were robbed in broad daylight and a truck under contract to the World Food Programme (WFP) was attacked on 16 August. A total of five carjacking incidents along with one attempted carjacking, targeting United Nations and NGO vehicles, also occurred during the reporting period.

29. The overall crime rate for the region of Darfur involving the United Nations, associated personnel and IDPs in areas patrolled by UNAMID showed an approximate 20 per cent decrease compared to the last reporting period. During the period under review, UNAMID military personnel conducted 3,411 routine patrols, 637 short-range patrols, 324 long-range patrols, 1,001 night patrols, 184 humanitarian escorts and 691 logistics/administrative patrols, in IDP camps, towns and villages across Darfur. UNAMID police conducted 524 firewood and farming patrols, 2,818 patrols outside villages, towns and IDP camps, and 1,140 medium and long-range patrols.

30. To encourage citizens to take greater responsibility for public security and fully participate in crime management, UNAMID police have recruited a total of 5,580 community policing volunteers. Of these, 2,414 have undergone training and are now active in IDP camps and communities throughout Darfur, while the remaining 3,166 will undergo training shortly. These volunteers play an important role in contributing to public security in the camps and villages they patrol, providing a deterrent to would-be criminals. When community policing volunteers encounter a criminal case they refer the case to Government police and inform UNAMID police. They may also make an arrest and hand the suspect over to Government police. They also assist both Government and UNAMID police by accompanying them on patrols, providing valuable local knowledge, contacts and familiarity with community dynamics.

31. A total of 99 zone safety coordinators have also been recruited. These coordinators are responsible for implementing the policies of the community safety committees that have been established in several IDP camps. The active participation of community policing volunteers and zone safety coordinators is assessed as having contributed significantly to reducing crimes in camps and communities where they operate and has helped to improve relations between IDPs and the police force of the Government of the Sudan.

32. UNAMID continued its efforts to remove the threat of unexploded ordnance contamination throughout Darfur through clearance activities, risk education lectures, surveys and emergency assessments of recently contaminated areas, and

demolition of identified unexploded ordnance. UNAMID destroyed 41 unexploded ordnance devices and provided risk education to the local population about the threat these devices pose to local communities and villages. Sixty teachers underwent training as part of the UNAMID "training of teachers" programme and 2,340 civilians attended lectures on the threat unexploded ordnance devices pose to the community. UNAMID has so far conducted emergency unexploded ordnance assessments covering 648,050 m^2 of land. Additionally, 61,810 m^2 of land was cleared of explosive remnants of war in preparation for the construction of a new UNAMID camp in Kutum. UNAMID surveyed 487 kilometres of roads for possible contamination in order to assist and improve the ability of humanitarian agencies to access populations in need. Unexploded ordnance disposal in Kalma camp was also undertaken as a matter of priority.

33. As part of the unilateral initiative by the Government of the Sudan, started in November 2009, to discharge members of the signatories to the Declaration of Commitment to the Darfur Peace Agreement, as well as personnel associated with SAF and its affiliates, the Northern Sudan Disarmament, Demobilization and Reintegration Commission requested logistical support from UNAMID to conduct the discharge of a total of 789 individuals in Western Darfur. The exercise commenced in El Geneina on 4 July, however after the discharge of some 483 members of the Declaration of Commitment signatories and SAF, the exercise was suddenly halted by the Government on 14 July, without any explanation being provided to UNAMID.

34. With support from the Government of Canada, the Northern Sudan Disarmament, Demobilization and Reintegration Commission, in collaboration with UNAMID and the United Nations Development Programme (UNDP), organized a three-day workshop on disarmament, demobilization and reintegration and community security and small arms control. Over 80 community leaders from Northern Darfur, including the Wali and senior state officials, attended the workshop, which aimed to further the understanding of local authorities and community leaders on issues related to community security and small arms control.

IV. Humanitarian situation

35. Humanitarian operations have been hampered throughout the reporting period due to ongoing fighting between Government forces and armed movements in part of the region, intermittent intra- and inter-tribal clashes, as well as carjacking and continuing threats of abductions of humanitarian workers and United Nations staff. Between May and July, the Government denied clearance for 38 per cent of nearly 250 planned humanitarian flights, many to locations deep in Northern and Southern Darfur.

36. Following tensions in Kalma camp, an estimated 25,000 IDPs (as much as one third of the camp population) reportedly fled in the direction of Nyala town, scattering across several areas including Bileil camp, Bileil village and Kalma village. An estimated 5,000 IDPs had relocated near the UNAMID community policing centre in the camp. From 1 to 15 August 2010, humanitarian access was denied to Kalma and Bileil camps, with activities resuming on 18 August. Food distributions were approved on 9 September and are currently ongoing, reaching 97 per cent of the IDP caseload by 15 September. The Government-proposed

relocation of Kalma camp IDPs to other new, smaller sites is being reviewed by the humanitarian community to ensure respect for humanitarian principles, voluntariness of returns and relocations, and the civilian nature of the camps.

37. Extreme poverty continues to be a key feature of vulnerable IDP communities. In August 2010, for example, 96 per cent of Darfur IDP households surveyed had incomes below the poverty threshold, and 44 per cent had incomes of 50 per cent or more below it. In resident communities, 82 per cent of households lived in poverty, but only 6 per cent suffered from extreme poverty. As in other parts of the Sudan, poverty is particularly marked among rural communities and severely limits people's ability to acquire the means for self-sufficiency, such as seeds. Rising prices have compounded the problem. In Northern Darfur, for example, food prices have risen 83 per cent since August 2009. Despite these challenges, humanitarian indicators remain relatively stable, in large part as a result of international support and service provision. The share of IDP households enjoying good food consumption, for example, has remained above 80 per cent in the three Darfur states throughout most of 2010, due to food aid deliveries. Incidence rates of key public diseases, such as acute respiratory infections or bloody diarrhoea, are at or below last year's levels despite recent deterioration during the rainy season and worrying rates in certain locations. Encouragingly, food security monitoring surveys of IDP households suggest that 60 per cent in Northern Darfur and 20 to 25 per cent in Southern and Western Darfur were able to cultivate land this season, a higher percentage than last year. Access to land has improved in many parts of Darfur. In Northern Darfur, for example, 94 per cent of IDPs reported better access to land compared to last year. These positive trends illustrate the need to adapt existing aid programmes, so that IDPs become increasingly self-sufficient and able to move beyond emergency relief.

38. In response to increased needs due to seasonal and conflict-related changes, as well as the combined access and security challenges, humanitarian actors worked to significantly step up advocacy and coordination efforts during the reporting period. On 19 July 2010, the strengthened High Level Committee, co-chaired by the Federal Minister of Humanitarian Affairs and the United Nations Humanitarian Coordinator met for the first time since October 2009 and has since been meeting on a monthly basis. A dedicated subcommittee on safety and security was established and is meeting regularly. The state-level joint committees and subcommittees have also resumed their work.

39. Following the expulsion of two staff of the International Organization for Migration (IOM) in August, a joint mechanism has been agreed whereby any case of international humanitarian workers being given notice to leave Darfur will be submitted for consultation to the Ministry of Foreign Affairs, Ministry of Humanitarian Affairs and the United Nations Humanitarian Coordinator, together with clear reasons and evidence. This mechanism has already succeeded in reversing notice being given to United Nations agency staff members to leave Western Darfur.

40. Increased advocacy and coordination efforts with national actors have led to tangible results towards the end of the reporting period. On 15 and 16 September 2010, UNICEF and the World Health Organization (WHO) were able to deliver a total of 14 tons of essential medicines and nutritional relief to Feina, Golombei and Tabassa in eastern Jebel Marra, locations that had been without humanitarian access since February 2010. Members of the United Nations country team agreed with the

Governors of Northern and Southern Darfur to strengthen joint efforts and initiatives to ensure the continuation of these first steps and the expansion of access throughout the two states.

41. United Nations agencies, NGOs and UNAMID have also stepped up their internal coordination during the reporting period. UNAMID, UNHCR, UNICEF, the African Union and other partners, are working to design a comprehensive strategy for the protection of civilians in Darfur, to ensure that available assets and resources can be better leveraged to protect them. Through the joint elaboration of an integrated strategic framework, UNAMID and United Nations agencies have identified priority peace consolidation objectives for the United Nations system in Darfur and improved delineation of respective roles and responsibilities. These initiatives will be reflected in the overall mission strategy for the protection of civilians to be submitted with my next report, in accordance with Security Council resolution 1935 (2010).

V. Rule of law, governance and human rights

42. Over the past 90 days, UNAMID has continued to focus on promoting human rights issues and the rule of law, both with the Government of the Sudan and Darfurian society more generally. In line with these efforts, UNAMID has delivered numerous training sessions for Government of the Sudan police and military personnel on a wide range of issues, including sexual and gender-based violence, human rights, and criminal investigation methods. In the course of its regular monitoring activities and engagement with partners, UNAMID has documented 73 incidents of human rights violations and abuses, affecting a total of 122 victims of diverse forms of violations including sexual and gender-based violence and violation of the rights to life, personal security, physical integrity and freedom of movement, and the right to a fair trial.

43. The police force of the Government of the Sudan has yet to follow up on eight of the sexual and gender-based violence cases reported to them. In three of these cases, the perpetrators were allegedly members of the security forces and one case was settled out of court. The remaining cases were not reported to the police as victims felt that the police would not take any follow-up action. Indeed, most of these incidents went unreported due to the social stigma attached to sexual and gender-based violence issues and the difficulties faced by victims in proving they were raped.

44. Several training sessions were conducted by UNAMID to enhance the capacity of security institutions to prevent and respond to sexual and gender-based violence cases. From 4 to 8 August 2010 UNAMID conducted a five-day awareness-raising campaign on domestic violence for 40 Government of the Sudan police and military officers and around 300 people from Ardamata, Abuzar, Al-Hujaj and Krinding-I camps in Western Darfur. From 8 to 10 August, a three-day workshop on "the investigation of gender-based violence" was held for Government police officers in El Geneina. Several training exercises were organized as part of efforts to build capacity in the Sudanese judicial system. From 25 to 30 August 2010, a training workshop for the Family and Child Protection Unit of the police was held in El Geneina to identify and build the capacities of the focal points on legal aspects of sexual and gender-based violence issues in Western Darfur. Similarly, a training

workshop for Northern Darfur state judges was held in El Fasher from 21 to 25 July to sensitize participants to legal issues related to gender and human rights, as well as to children, evidence, and criminal and civil procedures. Twenty judges, including three female judges, participated in the training.

45. In July, the human rights sub-forums for Northern and Southern Darfur were launched. Participants included state ministers, the Wali's advisers, senior state police officials, national security representatives, judiciary personnel, the state prosecutor, the chairwomen of each State Committee for Combating Violence against Women and Children, as well as other state officials, representatives of international organizations, UNAMID police and UNHCR personnel. The sub-forums were established as part of the implementation of one of the recommendations of the Darfur Human Rights Forum to address human rights and protection issues at the state level. As defined by their terms of reference, they are platforms for joint efforts to be undertaken by the Government and UNAMID to address human rights challenges.

46. In August, UNAMID was denied access to prisons, detention centres and the status of case files at courts in Um Kadada (on 8 August), Kutum (on 18 August), Kabkabiya (on 11 August) and Mellit (on 25 August). Local officials claimed that the Director of the Prisons Department and the Chief Justice of Northern Darfur in El Fasher had issued a new directive to all local officials restricting UNAMID access to prisons, prisoners, detainees and the status of pending court cases. According to these officials, UNAMID must first obtain permission on a case-by-case basis. On 18 August, UNAMID contacted the Director of Prisons who confirmed the new procedure. SLA-Minni Minawi has also adopted a similar approach: UNAMID was denied access to detention centres run by SLA-Minni Minawi at Zam Zam camp on 2 August and in Um Baru on 17 August, both in Northern Darfur. On 30 August, SLA-Minni Minawi personnel required UNAMID to produce an authorization letter from SLA-Minni Minawi senior legal advisers prior to a visit. Efforts to resolve the impasse have been taken up with the relevant authorities.

47. In close coordination with the relevant state ministries and institutions and the United Nations country team, the UNAMID Prison Advisory Unit has continued to offer support to the prison management in all three states of Darfur. In collaboration with UNDP, the Unit has facilitated the provision of office furniture and equipment to all prisons in Darfur; supported the participation of senior prison officials of the Government in the African Correctional Services Association biennial conference, held in Accra from 13-17 September; helped build the capacity of the management staff; and supported the conduct of life-support programmes for female prisoners at Kheir Khanaga women's prison in Northern Darfur. In Southern Darfur, staff of the Unit met with the Director of Humanity Organization, a local NGO comprised of lawyers and funded by UNDP, to take up the cases of pretrial prisoners and children accompanying their incarcerated mothers. As part of its mandate to support and strengthen state and civil society legal institutions in Darfur, on 28 July UNAMID officially commissioned a legal library in El Fasher, which was donated to the Northern Darfur judiciary. The construction of the library and its equipment were funded by the United States Agency for International Development (USAID) through UNAMID. The library is located in the office of the Chief Prosecutor and is open to the public.

Child protection

48. UNAMID has continued to implement the Security Council's agenda on the protection of children in armed conflict through monitoring, reporting and advocacy at the community level. It continues to engage in dialogue with SAF and armed opposition movements for the purpose of establishing action plans to end recruitment and the use of child soldiers. In this connection, on 15 August, SLA-Abu Gasim, located in Western Darfur, provided UNAMID with a second action plan committing itself to ending recruitment and the use of child soldiers, in compliance with Security Council resolutions 1539 (2004) and 1612 (2005).

49. On 12 August, SLA-Free Will, acting in accordance with its action plan, provided its first progress report to UNAMID confirming the dissemination of a command order to all its elements in Northern Darfur prohibiting them from the recruitment, re-recruitment or use of child soldiers.

50. SAF have confirmed that the initial draft of an action plan to end recruitment and the use of child soldiers, which will also be extended to proxy groups, has been submitted to the Ministry of Defence for review. Meanwhile, efforts are continuing to reach out to SLA-Abdul Wahid, JEM and other armed groups to encourage them to develop and adopt similar action plans.

VI. Progress against UNAMID benchmarks

51. Pursuant to paragraph 8 of Security Council resolution 1935 (2010), this report includes "an assessment of progress against the benchmarks set out in annex II of the report of the Secretary-General of 16 November 2009".

52. With regard to the first benchmark, progress towards the achievement of a comprehensive political solution to the conflict through the implementation of the Darfur Peace Agreement or subsequent agreements was limited by, among other things, weak support for the Peace Agreement and a failure by the parties to the conflict to enter into any subsequent agreements. Despite these setbacks, some progress has been made in the area of increasing participation in the peace process, particularly among civil society and community leaders, through the civil society conference held in Doha and the associated consultations held in Darfur. Additionally, UNAMID has been working effectively on the implementation of conflict resolution mechanisms for local communities. UNAMID also continues to provide substantive support to the Doha process and the Joint Mediation through the secondment of staff to facilitate negotiations between the Government of the Sudan and LJM in various committees.

53. The second benchmark refers to UNAMID contributing "to the restoration of a stable and secure environment throughout Darfur". In this regard, UNAMID has faced significant difficulties, including restrictions on movement that have often meant it has not been able to respond effectively to incidents of tension or conflict, particularly when the conflict has been between SAF and armed opposition movements. There were also restrictions on the movement of humanitarian convoys to Kalma camp in July and August. These issues, in addition to continued impunity, indicate a lack of significant progress on this benchmark. However, UNAMID military and police patrols, as well as the community policing volunteer initiative,

have helped to lower the overall crime rate and promote a stable environment across Darfur.

54. The third benchmark relates to the enhancement of rule of law, governance and human rights, and the provision of assistance to the effective and efficient functioning of state institutions. Modest progress has been made against this benchmark in some areas. UNAMID child protection officers are working with armed opposition movements and the Government of the Sudan to stop the recruitment of child soldiers and the Prison Advisory Unit has succeeded in gaining greater access to and improving conditions in some prisons. The mission is also providing training on human rights norms to corrections officials. Despite continued efforts by UNAMID, together with UNDP, to engage with the North Sudan Disarmament, Demobilization and Reintegration Commission on various issues, such as the planning and implementation of community security and arms control activities, a disarmament, demobilization and reintegration programme for Darfur has yet to be established.

55. The fourth benchmark refers to stabilizing the humanitarian situation and facilitating humanitarian access to populations in need of assistance. Incidents of conflict, more stringent security management measures implemented by humanitarian organizations in response to attacks and abductions, and access restrictions have prevented much progress being made against this benchmark. UNAMID is in ongoing dialogue with the Government of the Sudan to lift restrictions on movement and access. Joint verification and security mechanisms have recently been put in place between UNAMID, the United Nations country team and the Government to address some of these concerns and challenges.

VII. UNAMID deployment and operations

56. As of 30 September 2010, the number of UNAMID civilian personnel stood at 4,261 (1,105 international staff, 2,688 national staff and 468 United Nations volunteers). This represents 77 per cent of the approved strength of 5,516. The mission continues to face difficulties in recruiting and retaining suitably qualified staff owing to the harsh living conditions and unpredictable security situation in Darfur. Since January 2008, 207 potential candidates have declined offers of appointment, while 315 have left the mission due to reassignment, resignation, return to duty station, or retirement.

57. As of 30 September 2010, the strength of UNAMID military personnel stood at 17,199, representing 87 per cent of the authorized strength of 19,555.

58. The current strength of UNAMID individual police officers stands at 2,820, which is 74 per cent of the mandated strength of 3,772. Out of 19 formed police units projected to be deployed in Darfur, 14 are currently on the ground following the arrival of the Senegalese formed police unit in August. Three formed police units are projected to arrive in November-December 2010. The total personnel strength of formed police units currently stands at 1,949, or 73 per cent of the authorized strength of 2,660.

59. On 8 August and 9 September 2010, working level tripartite meetings were held in Khartoum in preparation for the tripartite meeting held on 27 September 2010 in New York. The 8 August technical-level meeting focused on issues of water

access, security, visas, use of tactical helicopters and the UNAMID radio frequency. While the efforts of UNAMID and the African Development Bank to provide assistance in the water sector for Darfur were greeted favourably, there was no movement on the licensing of UNAMID radio operations. However, the processing of visas has improved compared to previous months: between 1 July and 17 September, the Government of the Sudan issued 769 new entry visas to UNAMID personnel. As of 19 September, 200 visa applications were still pending approval.

60. The 9 September preparatory tripartite meeting focused on issues of security, information-sharing and coordination as a means of combating impunity and increasing security for international and local residents of Darfur. One positive outcome of the meeting was that the Ethiopian tactical helicopter unit, which deployed on 16 February 2010, has now been granted permission by the Government to undertake operational flights.

61. On 27 September 2010, representatives of the Government of the Sudan, the African Union, and UNAMID met in New York for the ninth Tripartite Coordination Mechanism meeting on UNAMID. The participants acknowledged the progress achieved in UNAMID deployment and operations and commended the improvement in cooperation and coordination between the Government and UNAMID. The African Union emphasized the importance of ensuring that the impact of the mission on the ground reflects the progress achieved in its deployment. Several important issues such as security, humanitarian access to IDPs, the granting of a radio frequency for UNAMID radio, and the allocation of land for construction of community policing centres and team sites were discussed. The participants agreed to resolve all pending matters swiftly, continue to meet in Khartoum at working level on a monthly basis and to meet again at the principal level in January in the Sudan.

62. The military contingent-owned equipment capabilities of the units in Darfur have continued to be a challenge as some contingents remain critically under-equipped and do not meet the desired serviceability and self-sustainment standards as required under the approved contingent-owned equipment manual. Currently there are 48 units deployed; 35 are military units and the remaining 13 are formed police units.

63. On 21 September, a joint African Union-United Nations military capability study team deployed to UNAMID, to comprehensively assess the structure, composition, deployment and operational capabilities of the military component against the mandated tasks and the current situation in Darfur, taking into account the expected outcome of the ongoing peace negotiations in Doha. The purpose of this study is to develop measures for enhancing operational efficiency and effectiveness, as well as to revise the current military strategic concept of operations and force requirements. The findings and recommendations of the study will be shared with relevant stakeholders.

64. As of August 2010, UNAMID had identified 78 potential drilling sites for water in and around its team sites. Eight of these sites have been developed, and the water extracted is shared with the local communities. A contract to drill 13 boreholes was awarded to a Sudanese company and 4 have been drilled. A contract for drilling an additional 25 boreholes has been awarded to a private contractor, and work is expected to commence in October 2010.

65. The mission has also designed and plans to construct four earth dams and two *hafirs* (water pools) during this financial year as a water sources sustainment strategy to support 20 per cent of the team sites. Additional resources and drilling capabilities are being mobilized for borehole drilling by a few troop-contributing countries, including China, Ethiopia, Senegal and Thailand. Moreover, the mission is making efforts to increase its in-house drilling capability and has initiated a procurement process to purchase three drilling rigs owned by the United Nations.

66. As part of the UNAMID preparations to support the referendum in Southern Sudan, the mission is transferring 150 light vehicles to the United Nations Mission in Sudan (UNMIS) in Southern Sudan. As of 31 August, 48 vehicles had been transferred to UNMIS.

67. The mission is in the process of carrying out airfield rehabilitation of the three airports in Darfur, including installation of airport lighting systems and provision of navigational aids. In this regard, UNAMID signed a contract for the airfield rehabilitation project on 1 July 2010.

68. During the reporting period, UNAMID quick-impact projects included the rehabilitation of four women's centres across the region, in Hassa Hissa, Khamsa Dagaig and Hamadiya camps near Zalengei and Abu Shouk camp near El Fasher, along with the construction of six new women's centres across the region (two in Zam Zam IDP camp, one in the Zam Zam locality and one in El Fasher, Northern Darfur; one in the Domaya locality, Southern Darfur; and one in Ardamata camp in Western Darfur). The women's centres are being used for activities such as literacy classes, human rights training activities, income-generating activities and the provision of support to victims of sexual and gender-based violence. The centres are managed by local NGOs and internally displaced women, with United Nations agencies providing ongoing financial support. In addition, UNAMID has approved and released funds for a quick-impact project to construct a juvenile court in El Geneina and work has commenced on five projects in three prisons.

69. The total number of quick-impact projects implemented between 2007 and 2010 now stands at 478. UNAMID continues to receive a large number of project proposals from communities and local organizations, mainly in the areas of education, health, income generation, water and sanitation. Several proposals to support community reconciliation initiatives are also being considered.

VIII. Observations

70. Three months ago I reported on, among other things, the unstable security situation in Darfur, the uncertainty in the peace process and the challenges facing UNAMID and the Joint Mediation. While clashes between parties to the conflict have substantially reduced, fighting between communities continues to result in fatalities. The 2 September attack on Tabarat and clashes in Kalma and Hamidiya camps are indicative of the continuing fragility of the security situation.

71. I condemn, in the strongest terms, the 2 September attack on the market in Tabarat and welcome the efforts of the Government of the Sudan to investigate, prosecute and punish the perpetrators of this heinous act.

72. The military engagements, which have tended to be less frequent and less destructive than those which occurred during the previous reporting period, have

involved intermittent clashes between the Government and JEM forces in Southern Darfur, and clashes between Government and SLA-Abdul Wahid forces in Jebel Marra. The clashes destabilized these areas, caused new displacements and hindered the delivery of humanitarian aid to the affected populations. I call upon all belligerents to cease hostilities and join the peace process for the sake of the people they claim to represent.

73. There were also more inter-communal clashes between the Misseriya and Rezeigat (both Arab tribes) in the vicinity of Kass in August, despite a local peace agreement signed by both groups. The prevalence of small arms; competition over recently vacated land; obstruction of traditional migration routes; tension at water points; weakened traditional conflict resolution mechanisms; and ethno-political rivalry keep alive the chances of such clashes in the future. Unless the Government disarms militias, enhances law and order by addressing impunity, invests in development, and resolves competing land claims, such fighting is likely to continue and could even become the primary source of insecurity and instability in Darfur.

74. With regard to the peace process, I am encouraged by the progress made by the Joint Chief Mediator, the Joint Mediation Team and UNAMID towards facilitating an agreement between the Government and LJM. I urge the parties to work diligently towards producing a peace agreement that addresses the root causes of the conflict and contributes positively to stability in Darfur.

75. I note the unveiling by the Government of the Sudan of a new strategy for achieving peace in Darfur aimed at facilitating participation and enhancing local ownership of the peace process. The strategy will reportedly be supplemented by a planned investment of $ 1.9 billion for socio-economic development of Darfur in the short term. These are encouraging signs and I hope they will complement the outcome of the Doha consultations and will lead to sustainable peace in Darfur.

76. As I have previously stated, for negotiations to succeed, they will need to be inclusive and broad-based. Unfortunately, the leaders of SLA-Abdul Wahid and JEM continue to refrain from participating in the peace talks. The Government, too, has yet to demonstrate a willingness to make sufficiently attractive concessions to these parties. This is preventing negotiations from being inclusive and limits the ability of the Joint Mediation to broker a comprehensive peace agreement. I therefore urge all the parties to enter into negotiations in good faith without delay and I call upon those Member States that have influence over them to strongly encourage them to do so. Only a comprehensive and inclusive negotiated political settlement can bring about a credible cessation of hostilities and address the root causes of conflict in Darfur.

77. I welcome the holding of a second meeting of civil society representatives in Doha from 12 to 14 July, which served to broaden and increase the inclusiveness of the peace process. I encourage the Joint Mediation and UNAMID to continue in this direction to help ensure that peace negotiations are sufficiently transparent, well understood by, and more accessible to, Darfurian society, including through continued holding of consultations in Darfur as agreed by the Sudan Consultative Forum and the Security Council. I welcome the efforts of the African Union High-Level Implementation Panel, in coordination with the Joint Mediation and UNAMID, towards this end.

78. I strongly condemn the violence that erupted in Kalma and Hamadiya IDP camps. I call upon the parties involved to refrain from resorting to violence, irrespective of their divergent views on the peace process, and to enter instead into dialogue and discussion about the constructive roles that civil society and community leaders can play in promoting peace. I also recognize that the presence of arms and armed elements in some IDP camps, including in Kalma camp, is a source of insecurity that must be addressed.

79. I urge the Government and the armed movements to allow UNAMID personnel the freedom of movement afforded to them under the Status of Forces Agreement and to extend these same entitlements to humanitarian personnel.

80. Attacks and abductions of United Nations and humanitarian personnel are reprehensible and constitute war crimes. I call upon the Government to pursue vigorously and prosecute those responsible for perpetrating such attacks. Ending impunity for these crimes, whether they are perpetrated against UNAMID personnel or ordinary citizens, is an essential step in the transition from conflict and instability to peace and security in Darfur.

81. I would like to thank the Joint Special Representative, the Joint Chief Mediator, UNAMID, Joint Mediation Support Team staff and the humanitarian community for their tireless efforts to bring peace and stability to Darfur.